

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 7  
: :  
TANDALA MIMS, aka Tandala Williams, : Case No. 10-14030 (MG)  
: :  
Debtor. :  
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**ORDER PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004  
DIRECTING THE ORAL EXAMINATION OF WELLS FARGO BANK, N.A. AND  
FURTHER DIRECTING THE PRODUCTION OF DOCUMENTS**

Upon the Application of Tracy Hope Davis, the United States Trustee for Region 2 (the “United States Trustee”) for an Order (the “Order”): (a) authorizing the issuance of a *subpoena duces tecum* compelling Wells Fargo Bank, N.A. (“Wells Fargo”) to produce the documents identified in Exhibit A and attached to the Application, and (b) compelling Wells Fargo to appear via a duly-authorized representative most familiar with the documents identified in Exhibit A, for an examination and to answer any and all questions regarding those documents and topics identified in Exhibit B attached to the Application, as they relate to the administration of the bankruptcy estate of the debtor referenced above (Docket No. 23); and the Court having considered the objection to the Application filed by Wells Fargo (Docket No. 32); and considered the statements of counsels to the United States Trustee and Wells Fargo at the hearing held on December 9, 2010, it is hereby:

ORDERED, that the Application is granted, and it is further

ORDERED, that the United States Trustee is authorized to issue a subpoena in a form substantially similar to the subpoena attached as Exhibit E to the Application (a) compelling Wells Fargo to produce the documents described in the subpoena subject to any

documents withheld under a claim of privilege to the Office of the United States Trustee by 4:00 p.m. on January 7, 2011, at 33 Whitehall Street, 21<sup>st</sup> floor, New York, New York 10004, Attention: Andrew D. Velez-Rivera, and (b) compelling the attendance of Wells Fargo by and through a duly-authorized representative most familiar with the documents identified in Exhibit A of the subpoena and those topics identified in Exhibit B of the subpoena, to testify at an examination on January 19, 2011, beginning at 10:00 a.m., and continuing from day to day until completed; and it is further

ORDERED, that Wells Fargo is directed to provide a privilege log in accordance with Rule 7026 of the Federal Rules of Bankruptcy Procedure to the Office of the United States Trustee, 33 Whitehall Street, 21<sup>st</sup> floor, New York, New York 10004, Attention: Andrew D. Velez-Rivera, so as to be received not later than thirty (30) days from the date of service of the subpoena; and it is further

ORDERED, that this Order is without prejudice to the rights of the United States Trustee or other parties in interest to apply for further discovery from Wells Fargo or any other party in interest in this case.

Dated: New York, New York  
December 9, 2010

/s/Martin Glenn  
MARTIN GLENN  
United States Bankruptcy Judge